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Paper No. 9

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In re Application of: Rhoads et al.
Application No.: 09/858,189
Filed: May 14, 2001
Attorney Docket No.: P0376
For: CONTENT IDENTIFIERS TRIG-
GERING CORRESPONDING RESPONSES

) **DECISION GRANTING PETITION**
) **TO ACCEPT CORRESPONDENCE AS**
) **TIMELY FILED UNDER 37 CFR §1.8**
) **(b) AND WITHDRAW HOLDING OF**
) **ABANDONMENT UNDER 37 CFR**
) **1.181**

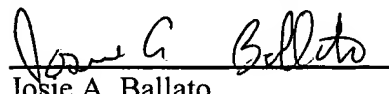
This decision is in response to the petition filed September 9, 2004 to withdraw the holding of abandonment under 37 CFR § 1.181 and 1.8(b). The petition is being treated as a request to accept papers as timely filed. The Notice of Abandonment was mailed August 25, 2004.

In support of the petition, the practitioner has provided a personal knowledge statement along with a copy of an amendment with a certificate of mailing, a copy of an information disclosure statement (IDS) and accompanying transmittal letter with a fee authorization for the IDS and a copy of a stamped postcard receipt with a stamped date of March 22, 2004. The USPTO postcard receipt that itemizes and properly identifies the items that are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped by the USPTO.

The evidence provided establishes that a timely response to the office action of December 19, 2003 was, in fact, received on March 22, 2004. The Office failed to match the complete response to the application file. A review of the application record shows the prior art submitted with the IDS was, in fact, matched to the application and the appropriate fee charged. Therefore, applicants do not need to resubmit the references. However, applicants are advised that the Office is no longer accepting papers which are double-sided and any such papers filed to date should be resubmitted as single-sided copies (37 CFR 1.52(a)(1)(iii) revised June 30, 2003 and effective July 30, 2003).

The petition is **GRANTED**. The application was not abandoned in fact. The Office regrets any inconvenience caused by this error.

The application will be forwarded to the Technical Support Staff for processing of the response to the Office action that was filed March 22, 2004. No additional fee is required for the accompanying IDS since the fee was charged on March 22, 2004. Thereafter, the application will be forwarded to the examiner for consideration of applicants' amendment.


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